Speech for Vic Toews, Q.C.,
Minister of Justice and Attorney General of Canada

What Works Conference 2006
Closing Remarks

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Introduction

Thank you, (MC), and good afternoon, ladies and gentlemen.

I am honoured to have been invited to present the final words at this conference. It is a very important gathering for the justice and corrections communities, and ultimately for all Canadians.

Your discussions over the past two days have gone a long way toward improving our understanding of the issues surrounding the treatment of high-risk offenders—both during their sentences and when they are reintegrated into society.

I applaud your dedication and your efforts in this task. I am also very pleased that you are finding solutions to the issues together. By sharing experiences and expertise regarding high-risk offenders, you will ultimately discover what works and what doesn't.

All Canadians have a stake in the work you do, because the outcome can determine how safe our streets and communities will be.

My remarks today will focus on how Canada's new government is delivering on our promise to make Canadian communities more secure and safe places to live. Our efforts are designed to tackle crime, and to ensure that the public is protected from dangerous and high-risk offenders.

Protecting the Public

In his address at the beginning of this conference, my colleague, Minister of Public Safety Stockwell Day, called for a balanced approach to dangerous offenders that addresses enforcement, prevention and effective intervention.

Part of the Government's commitment to tackling crime is our plan to make significant and aggressive reforms to the *Criminal Code of Canada* in order to better manage and control dangerous offenders.

Like all of you in this room, our Government has to determine what works and what doesn't. And in a number of areas, we know what doesn't work.

For example, giving high-risk offenders multiple opportunities to re-offend doesn't work.

Our justice system generously gives second and third chances. But at some point, governments must draw the line.

We all know that it is in the public's best interest that dangerous offenders remain in prison until the risk to innocent people no longer exists.

Last month we followed through on our commitment to better manage and control dangerous offenders by introducing Bill C-27.

This bill includes measures that will serve to protect Canadian families and children from known individuals who are at a high risk to re-offend. It will impose stricter conditions on repeat offenders to keep such criminals from offending again and again.

We are following through with these changes because Canadians expect our Government to protect their communities from dangerous offenders.

Although you are already quite familiar with this Bill, I would like to give an overview of its main components.

First of all, this proposed legislation would make it easier for the courts to designate an offender as dangerous when he or she receives a third conviction for a violent or sexual crime that is subject to a sentence of at least two years in a federal penitentiary.

I want to reiterate here that this does not mean a U.S.-style "three strikes and you're out," as many have characterized this legislation. No one will be automatically designated a dangerous offender upon a third conviction. Offenders will be given the opportunity to explain why they should not be designated as dangerous, and judges will have the discretion of refusing the Crown's application.

Second, the Bill proposes changes to the use of Section 810.1 and 810.2 peace bonds. Under these peace bonds, offenders would have to meet certain conditions such as getting treatment or notifying authorities of where they are living.

Third, the maximum duration of peace bonds would be extended from one to two years. Police would therefore be better able to monitor the progress of offenders, thereby helping to prevent further violent or sexual offences and protecting the public from harm.

These combined measures will enable us to ensure that high-risk and dangerous offenders face tougher consequences when they are sentenced, and are kept better track of when they are released into the community.

I should add that many of these changes to the *Criminal Code* have been specifically requested by provinces and territories. They called upon us to re-assess our practices and responses to dangerous offenders. And we have done so.

I am aware that in the context of a minority government, any bill risks being defeated. And I am calling upon the Opposition to help us do what Canadians want and expect us to do, and allow Bill C-27 to pass.

There are other non-legislative changes we plan to make, and one of our priorities is to enhance the Government's support for the National Flagging System.

This system, which is operated by provincial coordinators through database tracking overseen by the Royal Canadian Mounted Police, allows Crown attorneys to better identify and track potential dangerous offenders, including sex offenders. Provincial and territorial coordinators feed into this

system by flagging the criminal records of offenders who pose a risk of reoffending.

With the Government's enhanced support, the National Flagging System will be a more effective tool for ensuring the safety of Canadians from coast to coast to coast.

Tackling Crime

During the election, Canadians said they want safer streets and communities, and we made a commitment to introduce legislation and initiatives to achieve this. We made a commitment to Canadians to restore accountability in Ottawa, and in the spring we introduced the *Federal Accountability Act*. Canadians said they wanted tax relief and an end to wasteful spending: our Government has been delivering on this. They said they wanted choice and support in child care, and a clean environment; and on both we are delivering.

I've had the opportunity as Justice Minister to work closely with Minister Day to ensure we can improve the safety of our streets and communities. Together, we have been working on a tough but balanced approach to crime. This includes the priority of dealing with the issues of guns, gangs and drugs. Bill C-27 is just one part of that.

Last spring, we introduced five new bills that will make our communities safer.

One bill will work to reform our laws with regard to conditional sentencing. Violent offenders deserve more than a slap on the wrist. People who commit serious crimes deserve a harsher penalty than sitting back and enjoying the comforts of home.

Another one—the Mandatory Minimum Penalties Bill—sends a clear message that using guns to commit crimes will not be tolerated. Under our proposed reforms, serious or repeat firearm offenders who use a firearm when committing an offence will spend more time behind bars, so they won't be able to threaten communities.

Our Government has moved to strengthen our National DNA Data Bank legislation to give police better tools to investigate crime. With these important legislative amendments, police officers will be better equipped to hunt down and apprehend dangerous offenders —to identify the guilty and exonerate the innocent.

We have also introduced new draft legislation to increase the maximum penalties for offences that involve street racing—a reckless and dangerous act that all too often kills. With our new legislation, people who treat our public streets as racetracks will be dealt with more seriously. They'll be prohibited from driving for longer periods, and will face more jail time if their irresponsible behaviour leads to injuries or deaths.

And finally, we introduced legislative proposals that would raise the age, from 14 to 16 years, at which youth can consent to sexual activity. This legislation targets those who sexually prey upon society's most cherished individuals: our children.

This fall we are continuing with our commitment to tackle crime. In addition to introducing Bill C-27 on managing dangerous offenders, we addressed the issue of drug-impaired driving. We proposed legislation to increase penalties, provide police with more tools to detect drug-impaired drivers and promote awareness through partner organizations. Our goal is to avoid reckless deaths and injuries of innocent people.

These are the types of initiatives that can help take gunmen and drug dealers off our streets.

We are also working in other ways to prevent crime.

Our Government is also providing $20 million over two years to support community-based programs that can provide youth at risk with positive opportunities and help them make good choices. Minister Day and I are working together to keep youth at risk from succumbing to the culture of guns, gangs and drugs.

The issue of violent crime has become a primary concern for Canadians. Clearly, changes are needed in our justice system if we are to build the safer, healthier society that all Canadians want.

Reaching Out to Victims

In addition to safeguarding the people of Canada, our Government must also be responsive to those Canadians who feel that they lack a voice, including victims of crime.

We know that when a violent crime occurs, the entire community—family, friends, and neighbours—feels its impact. The psychological and emotional damage can be devastating.

Our 2006 budget included funding to give victims a more effective voice in the federal corrections and justice system and greater access to services. These resources will help us to continue initiatives that work and move forward to develop new ones.

We continue to support the Victims Fund, which has been expanded to financially help victims attend National Parole Board hearings. B y enhancing the Victims Fund, we hope to assist provinces and territories to address specific unmet needs of victims.

As well, the Government is currently exploring the establishment of a Federal Victims' Ombudsman's Office to be a strong and independent voice for victims of crime within the federal corrections system and justice system.

Our Government supports all of these programs so that we can remain relevant and responsive to the demands and aspirations of the public that we serve. This will increase public confidence in all aspects of the justice system.

Conclusion

I would like to end my remarks this afternoon by once again commending you for the work you have done and will continue to do in the treatment of high-risk offenders.

At the end of the day, we all want to protect the public and reduce crime. We will reach those goals if we can deal with dangerous and high-risk offenders in the most appropriate ways on a case-by-case basis, in order to prevent further harm.

There are many players within the criminal justice system, and none can operate in isolation. All of us—governments, police, courts and correctional authorities—need to communicate and to coordinate our efforts when it comes to sentencing, treating and monitoring high-risk offenders. Conferences like this one play an important role in these efforts, and I believe they can truly help us determine what works.

Thank you.

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